

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----	x
D'ARCY QUINN,	:
	:
Plaintiff,	:
	:
-against-	:
	:
ALTRIA GROUP, INC. and PHILIP MORRIS	:
INTERNATIONAL INC.,	:
Defendants.	:
	:
	:
-----	x

**MEMORANDUM OF LAW IN SUPPORT OF  
ALTRIA GROUP, INC.'S MOTION FOR RECONSIDERATION, OR, IN THE  
ALTERNATIVE, FOR CERTIFICATION PURSUANT TO 28 U.S.C. § 1292(b)**

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*Attorneys for Altria Group, Inc.*

On behalf of defendant Altria Group, Inc. ("Altria"), we respectfully move the Court, pursuant to Local Civil Rule 6.3, for reconsideration of its Order of February 15, 2008, denying Altria's motion to dismiss the complaint pursuant to Rule 12(b)(1) of the Federal Rules of Civil Procedure. In the alternative, we respectfully request that the Court certify its Order for interlocutory appeal pursuant to 28 U.S.C. § 1292(b).

In support of its application for reconsideration or certification, Altria adopts the arguments set forth in the Memorandum of Law in Support of Philip Morris International Inc.'s Motion for Reconsideration, or, In the Alternative, for Certification Pursuant to 28 U.S.C. § 1292(b), and respectfully refers the Court to that Memorandum.

Dated: New York, New York  
March 3, 2008

Respectfully submitted,

PROSKAUER ROSE LLP

By 

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